DEPARTMENT OF CONSUMER AFFAIRS

PROPOSED AMENDMENTS TO THE CONFLICT OF INTEREST REGULATIONS

Specific Language

Amend section 3830 of Division 38 of Title 16 of the California Code of Regulations to read as follows:

3830. General Provisions.

The Political Reform Act Government Code sections 81000, et seq., require state and local government agencies to adopt and promulgate Conflict of Interest Codes. The Fair Political Practices Commission has adopted a regulation, 2 California Code of Regulations section 18730, which contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference, and which may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act after public notice and hearings. Therefore, the terms of 2 California Code of Regulations section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, along with the attached Appendix in which officials and employees are designated and disclosure categories are set forth, are hereby incorporated by reference and constitute the Conflict of Interest Code of the Department of Consumer Affairs.

Designated employees shall file statements of economic interests with the agency who will make the statements available for public inspection and reproduction. (Gov't. Code Section 81008.) Upon receipt of the statement of the Director and members of the boards, commission, and committees and subcommittees, the agency shall make and retain a copy and forward the original of this statement to the Fair Political Practices Commission.

Note: Authority cited: Sections 87300, 87306 and 87307, Government Code. Reference: Sections 87300-87302 and 87306, Government Code.

DEPARTMENT OF CONSUMER AFFAIRS

PROPOSED AMENDMENTS TO THE CONFLICT OF INTEREST REGULATIONS

Appendix

<u>Designated Employees</u>	Disclosure Categories
Administration Executive Offices	
Director	1
Chief Deputy Director	
Deputy Director, Board Relations	
Assistant Deputy Director, Board Relations	
Deputy Director, Bureau Oversight	
Chief, Interdepartmental Relations	<u>1</u>
Deputy Director, Chief of Legal Affairs	$\overline{1}$
Deputy Director, Chief of Consumer Services	1
Assistant to the Director, Appointments	3,11
Assistant Director, Legislation	5,13
Special Aide to the Director	<u>1</u>
Communications and Education Division Deputy Director	1
Information Officer II	
Consumer Relations and Outreach Division	
Deputy Director	
Chief, Consumer Information Center	
Manager, Consumer Information Center	
Manager, Consumer Relations Unit	
Manager, Management Support Unit	
Chief, Arbitration Certification Program	·
Chief, Complaint Mediation Program	
Managers, Field Offices of the Complaint Mediation Program	<u>3,4,5</u>

Division of Administration and Technology

Deputy Director
Chief, Office of Administrative Services
Fiscal Officer, Fiscal Operations Office
Accounting Administrator II
Accounting Administrator I, Cashiering/Payroll.
Staff Admin. Analyst, Accounts Receivable/Revenue
Accounting Administrator I, General Ledger
Staff Admin. Analyst, Calstars
Accounting Administrator I, Accounts Payable
Staff Services Manager II, Budget Office
Staff Services Manager, Business Services Office
Associate Governmental Program Analyst
Staff Services Analyst
Staff Services Manager, Facilities and Planning Unit
Business Services Assistant
Business Services Officer
Associate Space Planner
Associate Business Management Analyst
Staff Services Manager, Contracts Unit
Associate Governmental Program Analyst
Staff Services Analyst
Business Services Officer, Purchasing Unit
Business Services Assistant
Business Services Officer.
Office Services Supervisor, Support Services Unit
Office Services Supervisor
Assistant Information Systems Analyst
Manager, Office of Human Resources
Labor Relations Specialist, Labor Relations Office
Staff Services Manager II, Training and Consulting Office
Chief Information Officer, Office of Information Services
Section Chiefs
Team Supervisors
Cnergy Unit
<u>Chief</u>

E-Government and Special Programs Division	
<u>Chief</u>	<u>9</u>
Equal Employment Opportunity Office	
Chief	<u>5</u>
Office of Examination Resources	
Staff Services Manager III, Chief	<u>5</u>
Personnel Selection Consultant II, Testing and Measurement Specialist	<u>5</u>
Staff Services Manager I, Operational Manager	
Staff Information Systems Analyst (Specialist), Administrative Support	<u>5</u>
Testing Validation and Development Specialist II, Testing	
and Measurement Specialist	<u>5</u>
Test Validation and Development Specialist I, Testing	
and Measurement Specialist	<u>5</u>
Staff Services Analyst, Test Validation	
and Development Specialist	<u>5</u>
<u>Information Security Office</u>	
<u>Chief</u>	<u>9</u>
Internal Audit Office	
<u>Chief</u>	9
Senior Management Auditor	
Associate Management Auditors	
Legal Office Division of Legal Affairs	
Deputy Director	
Supervising Counsel , Legal Office	<u>1</u> , 3,4,5,6,11,12
Staff Counsel	<u>1</u>
Coordinator, Dispute Resolution Office	1. 7.9

Legislative and Regulatory Review Division	
Deputy Director	1
Assistant Deputy Director	
Manager	
Policy, Research & Planning Division	
Chief	<u>1</u>
Staff Services Manager II	<u>1</u>
Research Program Specialist II	<u>1</u>
Office of Privacy Protection Chief	·
<u>Cnier</u>	<u>2</u>
Division of Administration	
Chief, Division of Administration	5
Fiscal Office	
Fiscal Officer	5
Budget Officer	5
Budget Office Unit Supervisor	
Accounting Administrator	5
Assistant Accounting Administrator	5
Chief of Business Services	5
Business Services Officers	
Business Services Assistants	5
Personnel Office	
Personnel Manager	5
Training Manager	5

Labor Relations Officer

Page 6

Central Testing Unit	
Manager	5
Test Program Analyst	
Division of Technology	
Chief	5
Manager, Development and Maintenance Section	5
Manager, Support Services Section	
Manager, Production Operations Section	
Division of Consumer Services	
Executive Unit	
Deputy, Program Development	1
Deputy Chief	1
Legal Services Unit	
Supervising Attorney	2,13
Legislative Unit	
Manager	13
Staff Counsel	13
Dispute Resolution Office	
Coordinator	7,9
All Members and Executive Officers of Boards Including But Not Limit	ed to the following
Boards:	
California Board of Accountancy	
Board Members	7,8,9,11, 13
Executive Officer	7,8,9,11, 13
Assistant Executive Officer	

Chief of Enforcement	7,8,9,11, 13
Supervising Investigative CPA	7,8,9,11, 13
Members of the following committees:	
Continuing Education Committee	7,8,11
Certified Public Accountants Qualifications Committee	7,8,11
Administrative Committee	7,8,11
Report Quality Monitoring Committee	7,8,11
Acupuncture Committee Board	
Board Members	7,8,9,11, 13
Executive Officer	7,8,9,11, 13
Board of Architectural Examiners California Architects Board	
Board Members	
Executive Officer	
Assistant Executive Officer	
Staff Services Analyst, Administration	
Associate Governmental Program Analyst, Enforcement Officer	
Associate Governmental Program Analyst, Enforcement Analyst	<u>7,8,9,11</u>
Associate Governmental Program Analyst, Exam Program Analyst	
Staff Services Analyst, Written Exam Licensing	
Management Services Technician, Oral Exam Coordinator	
Staff Services Manager I, Landscape Architects Program, Program Manager	
Staff Services Analyst, Licensing and Enforcement	
Staff Services Analyst, Exam Coordinator	<u>7,8,9,11</u>
Members of the following committees:	
Professional Qualifications Committee	
Examinations Committee	
Regulatory and Enforcement Committee	
Communications Committee	

State Athletic Commission Executive Officer 7.9.10.11.13 Assistant Executive Officer 7.9.10.11.13 Board of Barber Examiners Board of Barbering and Cosmetology Manager, Enforcement Section 7,8,9,10,11 **Board of Behavioral Sciences Examiners Cemetery Board** Board Members 7,9,11,13 Executive Officer 7.9,11,13 Contractors' State License Board Board Members 7,8,9,11,13 Chief Deputy Registrar (CEA) 7,8,9,11,13

SL (2/6/03) Page 8

Staff Counsel7,8, 9, 11Administrative Officer9Chief, Management Services9Research Manager I9Associate Management Analyst9Business Services Officer0

Licensing Deputy (CEA I)	7,9,11,13
Regional Deputy (CEA I)	7,9,11
Deputy Registrar IV	7,9,11,13
Deputy Registrar III	7,9,11,13
Deputy Registrar II	7,9,11 ,13
Chief, Administration Division.	<u>9</u>
Manager, Business Services Payables	<u>9</u>
Associate Governmental Program Analyst	<u>9</u>
Business Services Officer	<u>9</u>
Business Services Assistant	<u>9</u>
Associate Governmental Program Analyst B Management Analysis	9
Staff Services Analyst B Management Analysis	
Chief, Enforcement Division	
Enforcement Supervisors I & II	
Enforcement Representatives I & II	
Consumer Service Representatives	7,9,11
Manager, Enforcement Analytical Support and Training	
Associate Governmental Program Analyst	
Staff Services Analyst	
Chief, Licensing Division	
Manager, License Management/Processing Unit	
Chief, Office of Public Information	
Information Officer I	
Legislation Coordinator (CEA)	
Manager, Testing Division	
Personnel Selection Consultant II	
Examination Development/Maintenance	7,9,11
Staff Services Analyst	
Associate Information Systems Analyst (Sup.)	
Examination Administration	7,9,11
Staff Services Analyst	
ard of Cosmetology	
Board Members	7,8,9,10,11,13
Executive Officer	7,8,9,10,11,13
Assistant Executive Officer	7,8,9,10,11,13
Supervising Examiner	7,9,11

Page 10

Certified Shorthand Reporters Board Court Reporters Board	
Board Members	7.8.9.11. 1
Executive Officer	
Board of Dental Examiners Dental Board of California	
Board Members	7,8,9,11, 13
Executive Officer	7,8,9,11, 13
Assistant Executive Officer	
Supervising Special Investigator II	
Supervising Special Investigator I	
Enforcement Supervisor (Staff Services Manager I)	
Diversion Evaluation Committee Members	
Staff Services Analysts	
Members of the Committee on Dental Auxiliaries	
Executive Officer	
Staff Services Analyst	
Members of the Examining Committee	
Members of the following subcommittees of the Committee on RDA Written Test Construction Subcommittee	
RDA Practical Examination Subcommittee	
RDH Examination Subcommittee	
EF Examination Subcommittee	
Board of Funeral Directors and Embalmers	
Board Members	7,8,9,10,11,13
Executive Officer	
Field Representative	
General Auditor II	7,10,11,13
Board of Registration for Geologists and Geophysicists	
Board Members	7,8,9,11, 13
Executive Officer	
Members of the Examining Committee	

.

7,8,9,11,13

State Board of Guide Dogs for the Blind

Board of Landscape Architects Board Members 7,8,9,11,13 Executive Officer 7,8,9,11,13 Medical Board of California Board Members 7.8.9.11 Division of Licensing Members 7,8,9,11,13 Division of Medical Quality Members 7,9,10,11,13 Medical Quality Review Committee Members 7,9,10,11 Division of Allied Health Professions Members 7,8,9,10,11,13 Chief of Legislation 7,8,9,10,11 Members and Executive Officers of the following Committees Acupuncture Committee 7.8.9.11.13 Board of Podiatric Medicine Staff Services Analyst 7,8,9,11,13 Hearing Aid Dispensers Examining Committee 7.8.9.11.13 Speech Pathology and Audiology Examining Committee 7,8,9,11,13 Physician Assistant Examining Committee 7,8,9,11,13

Enforcement

Board of Psychology

 Program Manager Chief of Enforcement
 7,8,9,10,11,13

 Deputy Program Manager Chief of Investigations and Enforcement
 7,8,9,10,11,13

Physical Therapy Examining Committee 7,8,9,11,13
Respiratory Care Examining Committee 7,8,9,11,13

 Chief-Medical Consultant Director
 7,8,9,10,11,13

 Legal Counsel
 7,8,9,10,11,13

Deputy Chief of Enforcement, Field Operations7,8,9,10,11Supervising Special Investigator II.7,8,9,10,11,13Medical Consultant7,8,9,10,11,13
Licensing
Program Manager Chief of Licensing
Division of Administration
Program Manager
Diversion Evaluation Committee
Members
<u>Information Systems Branch Program Manager</u> 9
Board of Nursing Home Administrators
Board Members 7,8,9,11,12,13 Executive Officer 7,8,9,11,12,13
Occupational Therapy Board
Board Members 7,8,9,11 Executive Officer 7,8,9,11 Staff Services Analyst 7,8,9,11 Board of Optometry
Board Members7,8,9,10,11,13Executive Officer7,8,9,10,11,13Enforcement Coordinator7,8,9,10,11,13Associate Governmental Program Analyst - Licensing Coordinator7,8,9,10,11Associate Governmental Program Analyst B Enforcement7,8,9,10,11

Osteopathic Medical Board	
Board Members	7.8.9.11
Executive Director	
Special Consultant	
Board of Pharmacy	
Board Members	7,8,9,10,11, 13
Executive Officer	7,8,9,10,11, 13
Assistant Executive Officer	7,8,9,10,11, 13
Supervising Inspector	7,8,9,10,11, 13
<u>Inspector</u>	
Subcommittee on Pharmacist Impairment Members	9
Physical Therapy Board	
Board Members	
Executive Officer	<u>7,8,9,11</u>
Associate Governmental Program Analysts	
Physician Assistant Committee	
Board Members	7,8,9,11
Executive Officer	
Associate Governmental Program Analysts	<u>7,8,9,11</u>
Board of Podiatric Medicine	
Board Members	<u>7,8,9,11</u>
Executive Officer	<u>7,8,9,11</u>
Associate Governmental Program Analyst	
Board of Registration for Professional Engineers and Land Survey	vors
Board Members	7,8,9,11, 13
Executive Officer	
Assistant Executive Officer	7,8,9,11, 13
Senior Engineering Registration Examiner	7,9,11
Land Surveyor Consultant	
Technical Advisory Committee Members	<u>7,8,9,11</u>

Board of Psychology	
Board Members	7 8 9 11
Executive Officer	· · · · · · · · · · · · · · · · · · ·
Assistant Executive Officer	
rissistante Excedit to Stiteor	<u>7,0,7,11</u>
Board of Registered Nursing	
Board Members	7,8,9,11, 13
Executive Officer	7,8,9,11, 13
Assistant Executive Officer	7,8,9,11, 13
Supervising Nursing Education Consultants	
Nursing Education Consultants	
Diversion Evaluation Committee Members	7,8,9,11, 13
Diversion Program Manager	7,8,9,11, 13
Enforcement Program Manager	7,8,9,11, 13
Manager, Licensing and Administrative Services	<u>7, 8,9,11</u>
Manager, Licensing Standards and Evaluation; Advanced Practice	<u>7, 8,9,11</u>
Board Members Executive Officer Assistant Executive Officer Speech-Language Pathology and Audiology Board	<u>7,8,9,11</u>
Board Members	78911
Executive Officer	
Associate Governmental Program Analyst	
Staff Services Analyst	
	································· <u>··,·,·,·,·,</u>
Structural Pest Control Board	
Board Members	7,8,9,11, 13
Registrar	7,8,9,11, 13
Assistant Registrar	7,8,9,11, 13
Deputy Registrar	7,8,9,11,13
Chief Enforcement Officer	
Senior Pest Control Specialist	
<u>Disciplinary Review Committee Members</u>	<u>7,8,9,11</u>

Administrator	7,9,11,13
Assistant Administrator	
Board of Examiners in Veterinary Medicine Veterinary Medical Bo	<u>oard</u>
Board Members	7,8,9,11, 13
Executive Officer	
Animal Health Registered Veterinary Technician Examining Comr	
Drug and Alcohol Diversion Evaluation Committee Members	
Program Manager	9
Board of Vocational Nursing and Psychiatric Technicians Examine	rs
Board Members	7,8,9,11, 13
Executive Officer	
Assistant Executive Officer	
Supervising Nursing Education Consultants	
Nursing Education Consultants	
Staff Services Manager	<u>7,8,9,11</u>
State Board of Guide Dogs for the Blind	
Board Members	
	7,9,11,13

<u>All Bureau Chiefs and Deputy Bureau Chiefs, Including But Not Limited to the following Bureaus:</u>

Bureau of Automotive Repair

Bureau Chief	9,10,11, 13
Deputy Chief, Smog Check Operations and Engineering	, , ,
Services Division.	7,9,10,11

SL (2/6/03) Page 15

Staff Services Manager II, California Smog Check Program	<u>7,9,10,11</u>
Supervising Air Quality Engineer, Smog Check Operations	<u>7,9,10,11</u>
Staff Services Manager I, Contracts Management Unit	<u>7,9,10,11</u>
Deputy Chief, Consumer Assistance and Administration Division	<u>7,9,10,11</u>
Program Manager II, Consumer Assistance Program	
Staff Services Manager I, Administrative Support Services	
Associate Governmental Program Analyst, Contracts	<u>7,9,10,11</u>
Staff Services Analyst, Purchasing	<u>7,9,10,11</u>
Office Technician, Contract and Purchasing Support	<u>7,9,10,11</u>
Division Deputy Chief, Field Operations and Enforcement	7,9,10,11
Program Manager II, Vehicle Documentation Program	
Program Manager II, Smog Check Field Operations Program	
Program Manager I, Enforcement Operations Headquarters	<u>7,9,10,11</u>
Program Manager I, Field Operations (North)	<u>7,9,10,11</u>
Program Manager I, Field Operations (South)	<u>7,9,10,11</u>
Program Manager II, Automotive Repair Program	<u>7,9,10,11</u>
Program Manager I, Auto Body Program	<u>7,9,10,11</u>
Program Manager I, Field Operations (North)	<u>7,9,10,11</u>
Program Manager I, Field Operations (South)	<u>7,9,10,11</u>
Division Chief, Program Services	7,9,10,11,13
Assistant Chief, Public Affairs	
Program Managers	7,9,10,11,1 3
Chief, Dispute Resolution Certification Program	7,9,11,13
Cemetery and Funeral Bureau	
Chief	<u>7,9,11</u>
Deputy Chief	<u>7,9,11</u>
Supervising Governmental Auditor	<u>7,</u> 9,11
General Auditor III	<u>7,</u> 9,11
General Auditor II	
Field Representatives	<u>7,9,11</u>
Associate Governmental Program Analyst	7.9.11

Bureau of Collection Security and Investigative Services	
Bureau Chief	7.8.9.11. 13
Deputy Chief	
Assistant Chief	
Auditor III	
Alarm Company Disciplinary Committee Members	
Private Security Operator Disciplinary Committee Members	
Bureau of Home Furnishings and Thermal Insulation	
Bureau Chief	7,9,10, 13
Deputy Chief	7,9,10,13
Manager, Laboratory and Field Operations	<u>7,9,10</u>
Manager, Research and Development, and Thermal Insulation Program	<u>7,9,10</u>
Manager, Enforcement and Compliance	<u>7,9,10</u>
Supervising Chemist	7,9,10
Bureau of Electronic and Appliance Repair Bureau Chief	701112
Assistant Chief	
Program Manager	
Staff Services Manager I (Policy, Licensing, Administration)	
Bureau of Hearing Aid Dispensers	
<u>Chief</u>	
Hearing Aid Dispensers Examining Committee Members	<u>7,8,9,11</u>
Bureau for Private Postsecondary & Vocational Education	
Chief	
Deputy Bureau Chief	
Education Administrator	
Private Post Education Senior Specialist	
Private Post Education Specialist	
Staff Services Manager III, Administrative Services Unit	
Education Specialist, Enforcement	
Staff Services Manager I	

Bureau of Telephone Medical Advice Services

Chief	7	O	0	. 1	1 1	1
t mei	1	\mathbf{A}	9	, ,	1 /	
	, ,	, •	91	9 -		-

Division of Investigation

Chief	2,3, 4,5,9,11, 13
Deputy Chief	2,3, 4,5,-9,11, 13
Supervising Special Investigator II	2,3, 4,5, 9 ,11, 13
Staff Services Manager	<u>9</u>

Consultants *

Consultants shall disclose financial interests pursuant to the disclosure categories applicable to the manager of the organizational unit for which the contract services are being provided.

* Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The (chief executive officer) may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The (chief executive officer's) determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

Disclosure Categories

For purposes of the following, "business," "profession," or "business entity" includes an individual person.

For purposes of the following, "business position" means status as a director, officer, partner, trustee, employee, or holder of a position of management in any business entity.

Category 1

Designated officials or employees assigned to this category must report:

All sources of income, interests in real property, investments in and business positions in business entities.

Category 2

Designated officials or employees assigned to this category must report:

Interests in real property, investments and business positions in, and sources of income from a business entity if, within the previous four years, the Department of Consumer Affairs has taken any civil or administrative action against such entity, or has intervened in such action.

Category 3

Designated officials or employees assigned to this category must report:

Interests in real property, investments and business positions in, and any income from a business entity or profession where the business entity or profession is regulated by any licensing agency within the Department of Consumer Affairs.

Category 4

Designated officials or employees assigned to this category must report:

Interests in real property, investments and business positions in, and any income from, an educational institution or continuing education provider of the type to offer programs which qualifies a person for licensing or qualifies for continuing education credit by any of the licensing agencies in the Department of Consumer Affairs.

Category 5

Designated officials or employees assigned to this category must report:

Interests in real property, investments and business positions in, and any income from a business entity if, within the previous two years, the entity is of the type which has contracted to provide goods or services to the Department of Consumer Affairs or any of the licensing agencies within the department.

SL (2/6/03) Page 19

Category 6

Designated officials or employees assigned to this category must report: Interests in real property, investments and business positions in, and any income from a business entity where the entity is engaged in the manufacturing, wholesaling or retailing of any equipment or product required to be approved or meet standards set by any licensing agency within the Department of Consumer Affairs.

Category 7

Designated officials or employees assigned to this category must report:

Interests in real property, investments and business positions in, and any income from, a business entity or profession where the business entity or profession is regulated by the official's or employee's licensing agency.

Category 8

Designated officials or employees assigned to this category must report:

Interests in real property, investments and business positions in, and any income from, an educational institution or continuing education provider where the institution or provider offers programs or courses qualifying for licensing or continuing education credit by the official's or employee's licensing agency.

Category 9

Designated officials or employees assigned to this category must report:

Interests in real property, investments and business positions in, and any income from, a business entity if, within the previous two years, the entity is of the type which has contracted with the official's or employee's immediate employer to provide goods or services.

Category 10

Designated officials or employees assigned to this category must report:

Interests in real property, investments and business positions in, and any income from, a business entity where the entity is engaged in the manufacturing, wholesaling, or retailing of

SL (2/6/03) Page 20

any equipment or product required to be approved or meet standards set by the official's or employee's licensing agency.

Category 11

Designated officials or employees assigned to this category must report:

Interests in real property, investments and business positions in, and any income from, a business entity or professional association where the members are regulated by the official's or employee's licensing agency.

Category 12

Designated officials or employees assigned to this category must report:

Interests in real property, investments and business positions in, and any income from, a facility licensed by the Department of Health Services which must be managed by a nursing home administrator.

Category 13

Designated officials or employees assigned to this category must report:

Interests in real property, investments and business positions in, and any income from, a business entity which would be beneficially or adversely affected by currently pending legislation.

SL (2/6/03) Page 21